

## National Rifle Association

### Determining the Charitable Status of Competitions held in the United Kingdom

Approved by Council on 11 December 2021

#### 1. Background

- 1.1 The National Rifle Association (the “NRA”) organises competitive marksmanship events (“Competitions”) as part of promoting its charitable objects. Trustees must be satisfied that Competitions conducted by the NRA promote those charitable objects.
- 1.2 Recreational shooting is not accepted as a charitable activity, nor is clay pigeon shooting, and these activities are conducted as a commercial activity by the National Shooting Centre Limited (“NSC”), a wholly-owned subsidiary of the NRA.
- 1.3 This document sets out the principles the Trustees will apply in determining whether a Competition promotes the charitable objects of the NRA. A Competition that does not promote the charitable objects of the NRA must not be conducted by the NRA, but may be conducted by the NSC as a commercial activity. A Competition that does promote the charitable objects of the NRA may be conducted by the NRA (as a charitable activity) or by the NSC (as a commercial activity).

#### 2. Charitable Purpose of Competitions

- 2.1 Competitions have historically been organised by the NRA on the basis that the improvement of civilian marksmanship through Competitions contributes to the Defence of the Realm<sup>1</sup>. There is significant historical evidence of participation in competition having this effect including the important role played by members of the NRA and users of its facilities in the Home Guard in the 1940s. In 1994, the Ministry of Defence wrote to the NRA setting out the significant contribution that civilian marksmanship makes to the Armed Forces and the Defence of the Realm.
- 2.2 The Trustees are aware that the Charity Commission believes that the connection between civilian marksmanship and Defence of the Realm is tenuous. That is not a view shared by the NRA, but at this stage the NRA has not sought to challenge that view while information is collected on the participation levels of military, emergency services and cadet personnel in events organised by the NRA. Despite the huge advances in military technology during the period since the founding of the NRA, expertise with small arms remains an essential skill within our defence and security services and marksmanship is a key element of that expertise. In what continues to be a troubled world, the maintenance of efficient and skilled defence and security services is of immense benefit to the public of the United Kingdom.

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<sup>1</sup> s.3(1)(m)(i) Charities Act 2011

- 2.3 Competitive marksmanship is recognised as promoting the Efficiency of the Armed Forces<sup>2</sup> by providing an opportunity for present and former members of the Armed Forces and Reserve Forces, present and former members of the police and other emergency services and present cadets (“**Relevant People**”) to compete against a wider pool of competitors. The wider range of competitors increases the standard of competition and thus improves the skills of Relevant People participating in those competitions.
- 2.4 Promoting civilian youth shooting both competitive and non-competitive is also recognised as advancing education, which is a charitable purpose<sup>3</sup>. The charitable purposes of the NRA currently only relate to defence of the realm and promotion of the efficiency of the armed forces. However, the Trustees are of the view that the involvement of young people in Competitions improves their shooting abilities and so advances those purposes.
- 2.5 The Charity Commission does not recognise adult civilian competitive marksmanship as a charitable “amateur sport”<sup>4</sup> and the charitable objects of the NRA do not include promotion of amateur sport. As a result, the NRA cannot organise Competitions solely on the basis of supporting marksmanship as a sport.

### 3. Qualifying Competitions

- 3.1 To advance the charitable purposes of the NRA, the NRA may only organise Competitions that promote the Efficiency of the Armed Forces and emergency services or the education of youth shooters. One way that Trustees can demonstrate this in relation to a Competition is by there being a sufficient number of Relevant People participating in that Competition.
- 3.2 Participation in the Competition will enhance the marksmanship skills of Relevant People as competition with a diverse range of other people, not just other Relevant People, encourages Relevant People to enhance their skills.
- 3.3 The Charity Commission has not expressed a view on the percentage of Relevant People that would be sufficient to demonstrate a contribution to promoting the Efficiency of the Armed Forces and emergency services: and has affirmed that this is a matter for the Trustees (acting with due care) to determine. However, the Charity Commission has stated that:

*“The trustees must monitor the figures and measure whether their activities further the charity’s purpose. If the results show little involvement of the military, emergency services or members of the cadet forces, the Commission expects the trustees to take appropriate action.”<sup>5</sup>*

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<sup>2</sup> s.3(1)(l) Charities Act 2011

<sup>3</sup> s.3(1)(b) Charities Act 2011

<sup>4</sup> s. 3(1)(g) Charities Act 2011

<sup>5</sup> Final Outcomes Report published by the Charity Commission on 7 February 2020

- 3.4 The NRA collects information in relation to each Competition that it organises as to whether a competitor is a Relevant Person. The NRA takes the following steps to verify the status of a person as a Relevant Person:
- 3.4.1 Competition entry forms require the competitor to declare whether they are a Relevant Person; and
  - 3.4.2 Competition entry forms include the following declaration *“I confirm that the information given in this form is true, complete and accurate”*.
- 3.5 The Trustees consider that requiring verification of the status of every person at every event to be impractical, intrusive and not proportional and may have security implications particularly for current members of the Armed Forces and the Police. A false declaration brings no benefit to an individual as Relevant People do not receive any discount on entry fees or any other benefit and a false declaration is a breach of competition rules.
- 3.6 The number of Relevant People that must participate in a Competition in order for that Competition to be organised by the NRA will depend on various factors including:
- 3.6.1 the importance of the discipline or disciplines represented in the Competition to the Defence of the Realm (and any representations from relevant services to that effect);
  - 3.6.2 the likely impact on Relevant People resulting from their participation in either training for a Competition or competing in a Competition;
  - 3.6.3 the format and requirements of the Competition and thus the opportunity for Relevant People to compete at that level; and
  - 3.6.4 the likely impact of success in the relevant competition on Relevant People at large and those that might be inspired to join their ranks in service to their country.
- 3.7 The minimum percentage of Relevant People required in order for a Competition to be organised by the NRA will be:
- 3.7.1 the percentage specifically determined by the Trustees for that Competition; or
  - 3.7.2 if no percentage has been determined by the Trustees for that Competition, fifteen per cent (15%) (the “Standard Percentage”).
- 3.8 The Trustees consider the Standard Percentage to be appropriate because:
- 3.8.1 the percentage must be not insignificant and must be sufficient to require at least one Relevant Person to compete even in a small Competition. The Standard Percentage must be sufficient to be confident that there is a genuine contribution to the charitable purposes of the NRA, although some other percentage may be appropriate to a particular competition in light of the special circumstances of that competition; and

- 3.8.2 the Standard Percentage demonstrates that the involvement of Relevant People is more than “*little involvement*” (applying the natural meaning of those words) as referred to in the Outcomes Report published by the Charity Commission.
- 3.9 The Trustees may change the Standard Percentage at any time by resolution of Council.
- 3.10 At their last meeting in each year the Trustees shall determine whether a Competition is to be organised by the NRA or the NSC in the following year having regard to:
- 3.10.1 whether the recorded participation by Relevant People in that Competition during the current year exceeded the minimum percentage determined by the Trustees; and
- 3.10.2 any particular circumstances that may have affected the level of participation of Relevant People during the current year and which it is appropriate for the Trustees to take into account.
- 3.11 If the recorded participation by Relevant People in a Competition in a year is less than the minimum percentage determined by the Trustees, the Trustees will consider what action can be taken in the following year to raise the level of participation. If the recorded participation by Relevant People in a Competition in two consecutive years is less than the minimum percentage determined by the Trustees then that Competition shall in the third year be organised by the NSC. The NSC shall continue to organise that Competition until the Trustees determine that there is a reasonable likelihood that the participation by Relevant People will exceed the minimum percentage determined by the Trustees.
- 3.12 If a Competition is organised by the NSC then the NSC shall be responsible for the costs of holding that Competition and be entitled to the income from that Competition. The NSC is hereby authorised to award prizes bearing the same name that such prizes would be given if the Competition was organised by NRA, but the NSC shall make it clear to participants that the Competition is organised by the NSC rather than the NRA.
- 3.13 The Trustees have considered whether all Competitions should be organised by the NSC but have determined that this is not appropriate given the importance of competitive shooting to the charitable objects of the NRA.